

Appl. No. : 10/036,298
Filed : December 28, 2001

SUMMARY OF INTERVIEW

The interview participants included Applicant's representative, David Weiss, and Examiner Lewis. The interview took place on August 10, 2004.

Identification of Claims Discussed

Claim 1.

Identification of Prior Art Discussed

U.S. Patent No. 6,658,568 to Ginter et al.

Proposed Amendments

Clairfy that the hierarchy in Claim 1 is a media rights hierarchy.

Principal Arguments and Other Matters

Ginter does not disclose a hierarchy of media rights. Ginter refers to a hierarchy with respect to systems, arrays, and functions, and not with respect to rights associated with media.

Results of Interview

{ Ginter does not disclose a hierarchy of rights associated with media rights.

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REMARKS

As an initial matter, Applicant would like to thank the Examiner for the courtesy extended to Applicant's representative, David Weiss, during the August 10, 2004 interview.

Claims 1-30 remain pending in the present application. In the May 6, 2004 Office Action, the Examiner rejected Claims 1-30 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,658,568 to Ginter et al. The drawings were objected to.

Discussion of the Objections to the Drawings

The Examiner has objected to Figures 5B-5K for being in color. In response, replacement Figures 5B-5K in black and white are being submitted herewith. No new matter has been added thereby. Applicant therefore respectfully requests that the drawing objections be withdrawn.

Discussion of the Rejection under 35 U.S.C. § 102(e)

As discussed in the interview, because Ginter fails to disclose every element of Claims 1 as amended, Applicant respectfully request the Examiner to withdraw the rejection of Claim 1 and to allow Claim 1.

The hierarchy disclosed by Ginter is different than, and does not teach or suggest the claimed hierarchy of media rights. Ginter refers to a hierarchy with respect to systems, arrays of sites, and functions, and not with respect to media or intellectual property rights. For example, Ginter discloses: "Distributed clearinghouse operations may be performed through 'virtually networked and/or hierarchical' arrays of Commerce Utility System sites employing a general purpose, interoperable (e.g., peer-to-peer) virtual distribution environment foundation," Column 22, lines 30-63.

Similarly, Ginter discloses, at col. 25, lines 25-41:

"FIG. 8A shows that Commerce Utility Systems 90 or functions can be arranged in a hierarchy. For example, an overall financial (or other) clearinghouse 200(N) may oversee and/or have ultimate responsibility for the operations of numerous other financial (or other) sub-clearinghouses 200(1), 200(2), In the FIG. 8A example, a consumer electronic appliance 100 might interact with a clearinghouse 200(1), which might in turn interact with another clearinghouse 200(2), etc. This administrative and support service "hierarchy" might be thought of as being similar in some ways to a chain of command in a large corporation or in the military--with some clearinghouses exercising and/or delegating power, control and/or supervision over other clearinghouses."

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With respect to amended Claim 1, Ginter does not disclose or suggest:

*A method of locating rights associated with a media property, the method comprising:
defining a first rights characteristic;
defining a first media rights hierarchy having a first set of nodes with corresponding
media rights characteristics values for the first rights characteristic;
identifying media rights ancestors and decedents within the first set of nodes;
assigning node identifiers to the first set nodes;
identifying a first set of rights for a first media property, the first set of rights
corresponding to at least a portion of the first set nodes; and
retrieving rights related information using a joining of the first set of rights and the first
media rights hierarchy.*

Similarly, Ginter does not teach or suggest the invention as claimed in independent Claims 16, 25, and 30.

In view of the foregoing remarks, Applicant respectfully submits that independent Claims 1, 16, 25, and 30 as amended are patentably distinct over the cited art and are in condition for allowance. Claims 2-15, 17-24, and 26-29, which depend from and further define Claims 1, 16, 25 and 30, are likewise patentably distinct over the cited art and are in condition for allowance. Applicant therefore respectfully requests allowance of Claims 1-30.


Request for Telephone Interview

If there are any issues that can be resolved by telephone, the Examiner is respectfully requested to call the undersigned attorney of record at (310) 407-3461 or at the number set forth below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 3, 2004

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